

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \* \* \*

MICHAEL S. SPENCER, <i>et al.</i> ,	)	
	)	
Plaintiffs,	)	3:07-cv-00635-LRH (VPC)
	)	
v.	)	
	)	<u>ORDER</u>
GLEN WHORTON, <i>et al.</i> ,	)	
	)	
Defendants.	)	
_____	)	

Before this Court is the Report and Recommendation of United States Magistrate Judge Valerie P. Cooke (#193) entered on April 26, 2010, in which the Magistrate Judge recommends that plaintiffs' motion for class certification (#128) should be denied.

The Court has conducted its *de novo* review in this case, has fully considered the pleadings and memoranda of the parties and other relevant matters of record and has made a determination in accordance with the requirements of 28 U.S.C. § 636 (b)(1)(B) and Local Rule IB 1-4, and good cause appearing, the Court hereby

ADOPTS AND ACCEPTS the Report and Recommendation of the United States Magistrate Judge (#193); therefore, plaintiffs' motion for class certification (#128) is denied.

IT IS SO ORDERED.

DATED this 19th day of May, 2010.



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LARRY R. HICKS  
UNITED STATES DISTRICT JUDGE